

REMARKS

The Final Office Action dated June 7, 2005 and the Advisory Action dated September 26, 2005 have been considered. Favorable reconsideration and allowance of the subject application are respectfully requested in view of the following remarks.

Summary of the Final Office Action and Advisory Action

Claims 1, 11 and 14-16 stand objected to because of informalities.

Claims 1 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanazawa (U.S. Patent No. 6,559,814) (hereinafter "Kanazawa '814") in view of Kanazawa (U.S. Patent No. 5,835,072) (hereinafter "Kanazawa '072").

Claims 2-9 and 13-18 are allowed.

Claim 12 stands objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

In the Advisory Action, the Examiner indicates that the Amendment filed on September 7, 2005 has been considered but does not place the application in condition for allowance.

Summary of the Response to the Office Action

Applicant has amended claims 1, 11, 12 and 14-18 and added new claims 19-20 to improve the form of the claims and/or to differently describe embodiments of the invention. Accordingly, claims 1-9 and 11-20 are currently pending for consideration.

Claim Objections

In the Final Office Action, claims 1, 11 and 14-16 stand objected to because of informalities. In the unentered Amendment previously filed on September 7, 2005, Applicant

had amended claims 1, 11, 12 and 14-16 to improve the form of the claims in response to the Examiner's comments at page 2 of the Final Office Action. On the Continuation Sheet of the Advisory Action dated September 26, 2005, the Examiner indicates that the "amendments to claims 14-18 have overcome the objections recited in page 2 of the prior Office action mailed 6/7/05." Because the Amendment filed on September 7, 2005 was not entered by the Examiner, these same changes to claims 14-18 are repeated in the instant Preliminary Amendment. In addition, claims 1, 11 and 12 have also been amended to improve the form of the claims. Accordingly, withdrawal of the objection to claims 1, 11 and 14-16 is respectfully requested. Applicant notes that claims 17-18 has similar language with regard to the language objected to in claims 14-16. Accordingly, claims 17-18 were amended in that regard as well.

Rejection under 35 U.S.C. § 103(a)

Claims 1 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanazawa '814 in view of Kanazawa '072. Applicant has amended claims 1 and 11 to differently describe embodiments of the disclosure of the instant application's specification. These amendments differ from those previously presented in the unentered Amendment previously filed on September 7, 2005 because the Examiner had objected to those amendments in the Advisory Action dated September 26, 2005 as allegedly raising the issue of new matter. To the extent that these rejections might be deemed to apply to the claims as newly-amended in the instant Preliminary Amendment, they are respectfully traversed for at least the following reasons.

A driving method of an embodiment of the instant application, as described in newly-amended claim 1 includes a feature that at least one condition selected from the group consisting of pulse width and interval of the sustaining alternating pulses is changed in relation to changes in polarity of such sustaining alternating pulses. A driving method of an embodiment of the instant application, as described in newly-amended claim 11 includes a feature that voltage of the sustaining alternating pulses is changed in relation to every change in polarity of such sustaining alternating pulses.

With these arrangements, Applicant respectfully submits that the neighboring emission spots, such as those shown in Figs. 5A, 5B, and 8A, 8B by hatching, are changed in areas thereof so as to control the luminous intensities of the emission spots thereby to avoid unwanted non-uniformity in the brightness of the resultant image.

On the contrary, in the driving method disclosed in Kanazawa '072, neither the pulse width nor the interval of sustaining alternating pulses is changed in relation to changes in polarity of the sustaining alternating pulses. Even further, the voltage of the sustaining alternating pulses is not changed in relation to every change in polarity of such sustaining alternating pulses. On the other hand, in Fig. 12 of Kanazawa '072 although the voltage of the sustaining alternating pulses is changed, it is not changed in relation to every change in polarity of such sustaining alternating pulses. In Fig. 12 of Kanazawa '072, the voltage of the sustaining alternating pulses is changed in relation to every other change in polarity of such sustaining alternating pulses. Kanazawa '814 does not cure the deficiencies of Kanazawa '072 in this regard.

Accordingly, Applicant respectfully submits that the embodiments of the disclosure of the instant application described in newly-amended independent claims 1 and 11 are particularly different from the disclosures of the applied Kanazawa '072 and Kanazawa '814 references.

Accordingly, Applicants respectfully assert that the rejections under 35 U.S.C. § 103(a) should be withdrawn because neither Kanazawa '072 nor Kanazawa '814, whether taken singly or combined, teach or suggest each feature of independent claims 1 and 11, as amended. MPEP § 2143.03 instructs that “[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974).” Furthermore, Applicant thanks the Examiner for the indication that dependent claim 12 includes allowable subject matter. However, Applicant respectfully asserts that dependent claim 12 is also allowable at least because of its dependence from claim 11, and the reasons set forth above. Accordingly, withdrawal of the objection to claim 12 is respectfully requested. The Examiner is thanked for the indication that claims 2-9 and 13-18 are allowed.

Newly-Added Claims

Applicant has added new claims 19-20 to improve the form of the claims and/or to differently describe embodiments of the invention. These new claims 19 and 20 are in condition for allowance for similar reasons as discussed above with regard to independent claims 1 and 11.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant submits that the pending claims are in condition for allowance, and respectfully request timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution. A favorable action is awaited.


Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER BIDDLE & REATH LLP

Dated: November 7, 2005

By:



Paul A. Fournier

Reg. No. 41,023

Customer No. 055694

DRINKER BIDDLE & REATH LLP

1500 K Street, N.W., Suite 1100

Washington, DC 20005-1209

Tel.: (202) 842-8800

Fax: (202) 842-8465

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